

Policy Briefs are series of analyses on the country's main public policies and strategies, prepared by AGENDA Institute with the support of the Open Society Institute (OSI), Hungary.

## IN SEARCH OF A REALISTIC AGENDA FOR ALBANIA'S EU INTEGRATION

**T**he Council of Ministers, endorsed the National Plan for Implementation of the Stabilization and Association Agreement<sup>1</sup> as a response to the developments of the country in its strives towards integration into EU. According to the press release of the Ministry of European Integration, the Plan is a response to the Council of the European Union Decision *"On the Principles, Priorities and Conditions for the EU Partnership with Albania"*, approved in January of 2006.

### ■ Lack of capacity, lack of methodology or lack of vision...?

Assuming the fact that the drafting of this document is lead by a proper methodology related to the drafting techniques, policy objectives, time schedules, aims and prioritizing of the key process elements and instruments, in alignment with the current status of

Albania-EU's relations, particularly after signing of the SAA, to the calculation of the administrative capacities and the financial costs needed for the SAA implementation, to the manner of calculation of the *acquis communautaire* translation and its relevant cost, it would be necessary and helpful to mention, and, therefore, explain the methodology used in the introduction of the document.

Apart from enhancing transparency and rendering this document more important, this process would be helpful for the interested stakeholders in Albania and more particularly the European Commission, being the key observer of fulfilment of obligations deriving from the European Partnership and SAA, to understand it properly. After all, an explanatory introduction containing the above-mentioned elements would be a mare continuity of the procedure followed in all documents prepared by the Albanian government and the other regional countries, where this practice is a *common sense*.

<sup>1</sup> See the Official Journal no 80, dated August 2, 2006.

As can already be comprehended by the title, this Plan is aimed at addressing, first of all, the obligations deriving from the SAA, translating them into a group of concrete measures and actions to be undertaken by the Albanian institutions. If translated properly and associated with budgetary funds, these measures would serve the Europeanization of the political, economic and social life in the country. Indeed, these measures urge for a coordinated action of the government with important stakeholders, as the Assembly, the judiciary, the interest groups, civil society, etc.

The Plan is divided in three parts, each comprising as initiatives the so-called Copenhagen criteria. The issues addressed in the Plan are treated in three levels, including the current situation (legislation), the institutional framework and the assistance used, as well as addressing of priorities (new legal initiatives and actions to implement these initiatives). Prior to offering an overview of the current situation and treating the priorities in bulk, the Plan gives the political objective that sanctions the expressed will of the government to fulfill the SAA-deriving obligations. The aim of this practice is to also ensure coherence between the implementation of this Plan, the government programme and the priorities defined in the European Partnership.

The Plan envisages a time span of up to year 2012, and is based on two main parts – the narrative part and six annexes.

- The first annex treats the legal initiatives indicating the

aimed harmonization level with the *acquis communautaire*.

- The second annex includes the translation costs of the *acquis communautaire*, envisaged for up to 2012.
- The third annex envisages the planned increase of the number of employees up to 2012.
- The fourth annex includes the trainings planned for the public administration.
- The fifth annex envisages the costs needed for the electronic infrastructure and consultancy until 2012.
- The sixth annex includes the list of implementation activities as per the relevant fields, some of which belong to up to year 2010.

In fact, it is here where confusion starts, as year 2012 does not correspond to the 10-year period of the implementation of the SAA, sanctioned in Article 6 of the SAA. If the main reason of this Plan would be the identification and implementation of obligations deriving from the SAA, it is important to respect the division of SAA in two five-year periods, putting an emphasis on treatment of obligations deriving from the Interim Agreement. Year 2012 does not respond to the time envisaged in the European Partnership too. Why is chosen 2012 then?

Although the Plan is approved for helping implementation of the SAA obligation, it does cite no provision of the Agreement at all. More than ever before, the SAA should now serve as a guide for every institution and public administration employee. Although the end year in the Plan is 2012, most of the initiatives treated there are envisaged for up to year 2009.

Lacking an explanation on the methodology, it is ambiguous whether this differentiation has to do with the priorities of the European Partnership, entry into force of the SAA, or with the government mandate. If we refer, for instance, to the update of the Croatia's National Programme on the EU Integration, approved at the beginning of 2006, its introduction explains that the time schedules for implementing the measures are closely related not only with the terms negotiated in the SAA and the European Partnership priorities, but also with the government mandate.

This confusion gets greater once reading the *Table of Content*, which contains a chapter on *"The ability to assume obligations deriving from the EU Membership"*. The mechanic replacement of the terminology offered by the European Partnership in the above document, called *"European Standards"*, which can be realistic only for a candidate country and can mainly be expressed in the National Programmes for Adopting the *Acquis*, has nothing in common with the status of the country in ratio with the EU, not is it related to this document that can in no circumstance be interpreted as a

National Programme for Adopting the *Acquis*.

If the country was true, the *Table of Content* should contain another chapter *"On Strengthening of the Administrative Capacities"*, or otherwise known as the Madrid criterion.

The lack of a methodology, which is a *must* for drafting this-type documents and the lack of the political orientation to rationalize the priorities for the EU integration processes which seems to be the main disease nowadays in Albania, have led the drafters of the Plan to declare that *"this plan is very close to a national programme for adopting the acquis as it addresses all the short-term, mid-term and long-term priorities going as far as year 2012, defined in the Stabilization and Association Process (SAP) instruments via legal initiatives, implementation activities, detailing particularly the increase and strengthening of the administrative capacities. This shall lead to a higher responsibility of the state institutions for fully implementing the obligations emerging from the European Partnership and the SAA<sup>2</sup>"*.

**First**, as it was already mentioned, the SAA provides 10 years period of implementation divided in two stages, while the European Partnership is divided in short-term priorities (1-2 years) and mid-term priorities (3-4 years). This means that there is no correspondence with the magic year of 2012, chosen as an end year by the drafters.

---

<sup>2</sup> See, p 12 of the Plan.

**Second**, the National Programmes for Adopting the *Acquis* are not based in the SAP priorities, but in the chapters of *acquis communautaire*<sup>3</sup>, and Accession Partnerships, which are basically offered to the countries that have won the candidate status. This means that the progress of the negotiation process of the *acquis* amid the EU and the candidate country is the cornerstone for the National Programmes for Adopting the *Acquis* and what is more important for building and strengthening administrative capacities needed for its implementation.

**Third**, even in case this methodological “proximity” was true (in the lack of the methodology, indeed), there is no kind of proximity between the provision for strengthening and improving the administrative capacities in this Plan and the National Programmes for Adopting the *Acquis*, nor is there a compliance with the enlargement agenda of the EU, and the 2007-2013 financial perspective.

In fact, after getting the candidate status and after starting to negotiate the chapters of the *acquis communautaire* the process of the legislation approximation gets more intensified. As a consequence, the administrative and financial obligations for implementing and enforcing the legislation get more complicated.

### ■ How much realistic are the financial and administrative capacity strengthening provisions?

One of the key elements that condition the successful implementation of the Plan is calculation of the costs for various aspects related to the process, which accuracy should be tried. After reading the Plan, one realizes that the calculations seem to be made for institutions, not for measures or issues, as suggested by the practice of countries that are more advanced in this process and the European Commission Guide “*On the Main Administrative Structures Required for Implementing the Acquis*”<sup>4</sup>. In this view, the questions that should be answered are:

- How are the costs calculated for increasing the administrative capacities, for various measures and different institutions?
- What econometric models have been taken into consideration and how close are they to the political-administrative reality of Albania?
- Which is the ratio between the request for increasing the administrative capacities and the government

<sup>3</sup> The plan, p 12, says that *acquis communautaire* is divided in 31 chapters, while the latest division offered by the TAIEX programme for the “screening” process divides *acquis* in 35 chapters.

<sup>4</sup> See “*Main Administrative Structures Required for Implementing the Acquis*”, a European Commission document, updated in May 2005.

programme for a small and efficient administration?

The Plan says that *“definition of the legal framework is accompanied by the identification of preparatory costs for legal initiatives and translation, for which there is clear identification of the number of pages of the acquis to be translated, the cost per one page, as well as the total translation cost<sup>5</sup>”*. It is enough to briefly read the document to reach the conclusion that the above statement, in the best case, is a beautiful sleeping dream, while in the worst case can be qualified as hypocrisy.

The Ministry of European Integration budget's share for translating the *acquis* for 2005 versus its translation budget for 2006 is considerably lower in the latter year. Nearly ALL 3 million were planned for translation in 2005, while only ALL 1 million was planned for translation in 2006. Also, due to the restructuring process of the Ministry of European Integration, upon Order no 8, dated 24.01.2006 of the Prime Minister “On Approval of the Structure and Organigramme of the Ministry of European Integration<sup>6</sup>”, which abrogated Order no 150, dated 01.09.2004 of the Prime Minister “On Approval of the Structure and the Organigramme of the Ministry of European Integration<sup>7</sup>”, the translation unit, composed of five experts and one head of unit, merged.

<sup>5</sup> See p 13 of the Plan.

<sup>6</sup> See Order no 8, dated 24.01.2006 of the Prime Minister.

<sup>7</sup> See Order no 150, dated 01.09.2004 of the Prime Minister.

Consequently, there is no translation cell in the current structure of the Ministry of European Integration. Unfortunately, the paradox does not end here. The Minister of European Integration, forgetting about the above-cited declaration of the Council of Ministers pledged in the National Plan on the SAA Implementation, proposes a new Decision *“On Procedures for Translating the EU Legislation in the Republic of Albania<sup>8</sup>”* to the Council of Ministers only a few months after the entry in force of the new structure of the Ministry of the European Integration, which lifted the translation cell, and proposed once again establishment of the translation structure, attesting a strong lack of vision and seriousness in administrating this highly delicate process<sup>9</sup>.

Concurrently, the decision proposed by the Minister of European Integration, which, fortunately is still a draft as it was refused by the majority of the line ministries, claims to calculate translation costs and processes – although they are considered calculated in the Plan – in a really “authentic” manner, not basing them on a methodology or “a road map” for the translation process<sup>10</sup>, ignoring the process

<sup>8</sup> See Note dated 31.08.2006, protocol number 1436 of the Minister of European Integration addressed to the Prime Minister, central institutions and line ministries.

<sup>9</sup> From the formal viewpoint, establishment and abrogation of structures of the depending institutions to the Council of Ministers can be realized only via an Order of the Prime Minister. Anyhow, this issue is not part of this analysis and requires a special analysis of the constitutional and legal character.

<sup>10</sup> The practice of other countries shows that the process should be preceded by a strategy



of the codification of the *acquis* launched in 2001 by EU<sup>11</sup>, declining to utilize the professional and generous assistance of the EU's TAIEX programme, and not making the difference in the translation format, which can cause the state considerable losses in the budget<sup>12</sup>. But, even in case of a lack of a unified methodological basis, the "merged" structure of the Ministry of the European Integration should have produced a preliminary "study" on this aspect following the by-laws in power<sup>13</sup> and the practice of other EU countries involved in the EU integration processes<sup>14</sup>.

The financial predictions related to the increase and strengthening of the administrative capacities are made on a

---

containing actors in and out of the executive, manner of coordination and reporting to the European Commission. Apart from learning from the advanced Croatian, Czech, Bulgarian and Macedonian models, Albania has the chance of consulting the strategy prepared by Kosovo for this aim.

<sup>11</sup> See Communication from the Commission to the European Parliament and the Council "Codification of the *Acquis Communautaire*" COM (2001), 645, final.

<sup>12</sup> For instance, there is no specification of the difference between the Official Journal format of the European Community with the A4 format, which has resulted to considerable losses in the *acquis* translation process in Macedonia.

<sup>13</sup> See Decision of the Council of Ministers no 590, dated 10.09.2004 "On the scope of activity of the Ministry of European Integration".

<sup>14</sup> The practice followed by the publication of the "Community Legislation Translation Manual", "Models of Acts of the Council of the EU", and "The EU glossary" from the Ministry of European Integration should be followed by a unified methodology, including the participation of the academic translation and language specialized institutions in compliance with the practices of the advanced countries.

partisan basis, as there is no methodology and no harmonization with the state budget. But, this is only one side of the medal. The administrative and budgetary predictions do not follow the gradual logic of obligations deriving from the expected implementation of the Interim Agreement, due to enter into force in December 1, 2006.

An analysis on the main fields of the Interim Agreement shows that there is no planning made for increasing or strengthening the administrative capacities. The Plan does not respond to the European Partnership regarding "*strengthening of the administrative capacities on intellectual property, including establishment of the Albanian Copyright Office as well as strengthening of the administrative capacities in the copyright field*"<sup>15</sup>.

Also, no concrete measure is provided for strengthening the General Directorate of Trademarks and Patents<sup>16</sup>. The same situation holds true for the State Aid Directorate or the former World Trade Organization Directorate, which, instead of getting stronger has less competences and human capacities<sup>17</sup>. Measures for strengthening the administrative capacities in the competition policies as well as the specialization and further training of the judiciary in this field seem to be forgotten.

Although fields of public procurement, tax and customs are very important for a

---

<sup>15</sup> See p 145-147 of the Plan.

<sup>16</sup> See p 147-149 of the Plan.

<sup>17</sup> See p 155 and 54-58 of the Plan.

successful implementation of the Interim Agreement, and they have been the focus of hot public debates treating the efficiency and the corruptive practices in the respective institutions, the Plan foresees no measures for them.

The fact that the Plan envisages establishing of a State Committee in the public procurement field to examine complains is interesting. However, it should be noted that this provision shall not be realized, considerably deviating from the obligations deriving from the Directives 2004/18/EEC and 89/665/EEC, because the draft-law prepared by the Council of Ministers "On the Public Procurement" provides for the replacement of the independent State Committee with the procurement Ombudsman, nominated by the Council of Ministers<sup>18</sup>. This shows of a lack of seriousness by the government and puts in question the credibility of its documents approved to meet the EU standards.

The practice suggests that the EU integration success does not recline on the political rhetoric, but to an iron political willingness to endorse an efficient public administration, in compliance with the Madrid criterion. Unfortunately, as many other aspects treated in details in this analysis, public administration does not

get the attention it deserves in the National Plan on the SAA Implementation.

Perhaps the poorest part of this document is the one covering the public administration functioning, despite the fact that the European Commission, in its annual reports dedicates entire parts to analyze the progress and shortcomings of Albania in this regard<sup>19</sup>. A special attention is paid to the public administration functioning even by the European Partnership and the Enlargement Package that European Commission launched immediately after the publication of the annual report last year<sup>20</sup>. Certainly, this issue shall be one of the main parts of the European Commission annual report, expected to be published on 8 November 2006.

The Plan says nothing about the European Partnership priority, the European Commission and the World Bank recommendations "*For Ensuring the Implementation of the Law on Civil Servants for Nominating, Recruiting, Transferring and Dismissing the Civil Servants in Compliance with Provisions of the Legislation in Power*". The Plan contains no index on:

- How much and in what manner has the Albanian government implemented

---

<sup>18</sup> See for further information also the declaration of the EU Delegation Ambassador in Tirana, Mr. Helmuth Lohan, held on October 18, 2006 on the occasion of the presentation of the "Public Procurement" draft-law, organized by the Public Procurement Agency in co-operation with the EC technical assistance "Support to the Albanian Public Procurement System".

---

<sup>19</sup> See p 17-19 of the Plan. See also, Annual Reports of the European Commission, March 2003: 30 March 2004; 9 November 2005 in the website of the European Commission Delegation in Tirana [www.delalb.cec.eu.int](http://www.delalb.cec.eu.int).

<sup>20</sup> See the European Partnership and the Enlargement Package in the website of the EC Delegation in Tirana [www.delalb.cec.eu.int](http://www.delalb.cec.eu.int).

and enforced the binding decisions of the Civil Service Committee;

- The amount of the budgetary bill of the public administration structuring;
- How much does the lack of implementation and enforcement of the Civil Service Committee decisions burden the Albanian tax-payers;
- What is its impact on the legal uncertainty and sustainability of the public administration;
- How is the financial and technical assistance of the EU and international partners administered in regards to strengthening of the administrative capacities over these years;
- How do the administration sectors that are responsible for implementing the SAA and the ones dealing with the EU financial assistance coordination get sufficiently trained and supplied with the necessary means to carry out their tasks;
- How a salary structure is drafted and implemented enabling the proper budgetary planning and a motivating career structure.

At last account, the enforcement of the judicial decisions that the Albanian government has pledged to enforce should first be demonstrated with the rigorous enforcement of the decisions of the Civil Service Committee. This would be the most vivid testimony of the fact that the government is the most interested party when speaking of the implementation and enforcement of laws in a democratic society that claims to be guided from the rule of law principles.

#### **An old practice, but a “new” approach!**

It should be mentioned that adoption of this Plan is not an unknown practice for the Albanian administration and institutions. The first test of preparation of these documents was passed with the drafting of the first Action Plan in response to the European Partnership priorities<sup>21</sup> (2004). The Action Plan was concentrated only in the priorities defined by the first European Partnership, offered to Albania as a consequence of the Thessaloniki Agenda of 2003. Seen from the time context, the Action Plan was a reflection of a certain period, and despite the public administration motivation, EU assistance, close co-operation with the Assembly and civil society participation it is still deficient.

Some of these deficiencies were treated in the National Plan for Approximation of Legislation and SAA Implementation, which engaged in a solely document the measures necessary for addressing the

---

<sup>21</sup> See Decision of the Council of Ministers no 634, dated 30.08.2004.



commitments taken by Albania in the context of the SAP until May of 2005<sup>22</sup>. In this process, public administration was assisted by 30 experts of various EU member states and 30 Albanian experts, recognized for their contribution in different fields. The practices and models followed by the Central and Eastern European countries and Western Balkans countries were consulted and analyzed. Thanks to the EC technical assistance, modern software was also installed to monitor the commitments undertaken in this document, facilitating the process of the computer monitoring by the Ministry of European Integration, and the reporting to the European Commission services<sup>23</sup>.

This undertaking was not aimed at adopting some models for the Albanian reality, nor to experiment an entirely new model. On the country, the main guiding element was undoubtedly the status of Albania-EU relations. Above all, the Plan aimed at addressing the European Commission recommendations, according to which *“during the negotiation process, Albania should carry out the necessary reforms to ensure that, by the conclusion of negotiations, it will be able to properly implement the obligations resulting from the Stabilisation and Association Agreement it has negotiated”*<sup>24</sup>.

<sup>22</sup> See Decision of the Council of Ministers no 317, dated 13.05.2005.

<sup>23</sup> Technical Assistance and Training for the Ministry of European Integration, EUROPEAID/113435/D/SV/AL.

<sup>24</sup> Recommendation agreed by the parties at the 4<sup>th</sup> EU-Albania Consultative Task Force meeting (Tirana 13-14 November 2002) cited in p 11 of the NPAL-SAA, endorsed with the Decision of the Council of Ministers no 317, dated 13.05.2005.

Considering the fact that the SAA negotiation process had reached a dead end for granted, and at the same time feeling the need for a planning document for the process of approximation of legislation with the *acquis communautaire*, the main pylon of the plan-drafting philosophy base was the combination of obligations deriving from implementation of the SAA through the adoption of the *acquis communautaire*, in compliance with Albania's progress in the EU integration process.

It is worth explaining that the process of implementation of such instruments has not started with Albania, nor shall it end with it as the national programmes for adopting the *acquis*, national programmes for approximation of the legislation, action plans in response to the accession partnership as well as national programmes of the EU integration, despite their characteristics and depending on their historical phases, have served as a planning and strategic instrument of the countries engaged in the EU integration processes.

The experience of candidate countries should be taken into account and applied in compliance with the peculiarities of Albania, as the process on the way towards joining the EU should not for a single moment undergo experiments, not applied in other countries that reduce the value and importance of these instruments by not being rooted in the national agenda for political, economic and social development.

It is logical that a national integration plan be resilient to the changes of time,

naturally adding the increasing obligations coming from the process intensification, reflecting the various government priorities stemming from political rotation, but the philosophy and the final aim of the process should essentially be preserved.

In this viewpoint, the SAA Implementation Plan should first of all answer the question on what is the novice versus the 2005 Action Plan, apart from addressing the new European Partnership. This should be an organic process that should have ended shortly following adoption of the European Partnership by the Council of the EU, allowing the European Commission to analyze the progress made by Albania with reference to the commitments contained in this document before the preparation of the Annual Report on November.<sup>25</sup>

Why should the above-mentioned existing documents be abrogated? Do we have to do with a changed philosophy regarding the EU standards versus the political developments of an associate country, or should these developments comply with the EU standards?<sup>26</sup> It is enough to consult the practice of other SAP

---

<sup>25</sup> This does also seem a lost opportunity because there is no translation of the Plan in English.

<sup>26</sup> See article 6 of the Decision of the Council of Ministers "On Approval of the National Plan for Implementing the Stabilization and Association Agreement", which says: "Decision no 634, dated 30.08.2004 "On Approval of an Action Plan for Implementing the European Partnership Priorities", and no 317, dated 13.05.2005, "On Approval of the National Plan for Approximating the Domestic Legislation with the EU Legislation and Implementing the Commitments Deriving from the Stabilization and Association Agreement" of the Council of Ministers get abrogated".

countries and all the programming and planning documents drafted in years by different governments, attesting the old axiom that the EU integration process calls for the contribution and a continuity of different governments without recognizing "owners."<sup>27</sup> It seems that even in this process, Albania has established a negative record, demonstrating political immaturity, lack of vision in administration of human resources and administrative capacities that are vital to the process.

### **How shall the Plan implementation be monitored?**

This question receives no answer in the decision of the Council of Ministers that approves this document, reconfirming the ordinary practice, where the line ministries do periodically report to the Ministry of European Integration. What about the institutions outside the executive or other powers as the legislative or the judiciary?

Drafting of such very important documents for the progress of the EU integration of Albania calls for cooperation with the judiciary and other institutions that fall outside the executive sphere, and an active participation of the Assembly, and civil society in drafting or monitoring the implementation of the undertaken commitments<sup>28</sup>.

---

<sup>27</sup> The Ministry of European Integration website ([www.mie.gov.al](http://www.mie.gov.al)), unlike the websites of other sister-like institutions included in the Stabilization and Association process, has no record of the above-listed documents.

<sup>28</sup> The Thessaloniki Agenda and the European Partnership call for a greater participation of the civil society in the Western Balkan countries and Albania in the EU Integration process.

Most of the initiatives envisaged in this Plan are of a legal character, which means that their accomplishment requires an active participation of the Assembly. The practice of the more advanced countries in this process shows that such a document is formally required to be approved by the legislative power, because only in this manner the law-making authority can control the executive for fulfilling the obligations deriving from the EU integration process, and can at the same time push this process forward<sup>29</sup>.

The participation of the Assembly shall guarantee a better continuity of the process, because it would be more difficult for the political parties deriving from the political rotation to start the process from the scratch due to their political commitments. But, although a paradox, this Plan has not been discussed in the parliamentary Committee on European Integration, nor in the sectorial committees. Therefore, the Plan risks remaining unknown and unmonitored by the lawmakers.

Before they are submitted to the services of the European Commission, the periodic reports prepared by the Council of Ministers should be made available to the Assembly and the civil society stakeholders. Considering them as the most important instruments in its work, the Council of Ministers should examine them very seriously, and then, make the reports submitted to the services of the European Commission public, in the same manner

as the European Commission publishes its report for Albania on a yearly basis.

Preparation of reports should not be a routine exercise by the line ministries. Also, preparation of periodic reports cannot be the responsibility of the Ministry of European Integration only - despite the incomplete normative definition in the Decision of the Council of Ministers - which cannot replace the role to be played by the line ministries in this process, nor does it have a vision, political power and administrative capacities to adequately convey the European standards to the line ministries.<sup>30</sup>

Preparation of periodic reports should be the final link in an on-going communication and control process among the government, the Assembly, the media, and civil society. On the contrary, this process risks to be transformed into an entirely extremely bureaucratic process, with the situation revealing features of a double and non-observable bluff, where, on the one hand, the Albanian government makes as if it undertakes commitments in the name of the EU integration process, but nothing is known how and to what extent it succeeds in carrying them out into effect, and on the other hand, the EU claims to keep the perspective of Albania's membership

---

<sup>29</sup> See examples on the practice followed in Poland, Slovenia, Croatia, Romania and Bulgaria.

---

<sup>30</sup> For example, preparation of the first periodic report after the approval of the Plan is written in the future tense, and most of the legal initiatives and implementing measures were not realized. The report says nothing about the preparations undertaken by Albania to face the obligations deriving from the entry of the Interim Agreement in force. The narrative structure does not comply with the structure of the Plan either.

alive, certainly, not forgetting to remind the latter of the *regatta principle* associated with this process.

How will the level of the implementation of the initiatives outlined in this Action Plan be monitored from the qualitative and quantitative standpoint, when the updating process does not build on the results achieved over the preceding year?

The process of updating and improvement should first reflect the achievements and failures over the preceding year, as provided for in the 2005 Action Plan. This would help address the shortcomings in programming and planning not only of the legal initiatives, policies and institutions that will be reformed through a realistic approach.<sup>31</sup> The continuity and transparency of this process are as important as the quality of the process itself. Overall, the recently adopted Plan addresses the same issues as those contained in the documents that are abrogated. A comparison of the documents leads easily to the conclusion that most narrative parts are similar.

In face of a situation where, as a result of abrogation of the proceeding instruments and failure to come up with a *nexus* with the existing Plan, another question needs to be answered: How important is basically the content of a planning instrument, and to what extent is it observed? Why do we find it so difficult to recognize the continuity of the policy-making process moreover when drafting of instruments of this type cannot and

should not be part of partisan rivalries, because, after all, the EU integration process and the process of drafting of the strategic instruments to that end has so far not been a “*bio-process*”!

The practice of the most advanced countries in this process shows that, no matter how well crafted they are or how well propagated they are as achievements of the one or another government, irrespective of their political coloring, these plans do produce no expected outcome in the political, legal, institutional, economic and social aspect. As a consequence, have no impact on the agenda and relations with the EU, either, if they fail to meet the minimal requirements reviewed earlier on, and if they are not considered as part and parcel of the everyday work of institutions in the country.

Instead, this lacking action brings about negative consequences, hopelessly adding to the Albanian citizens' perception that the EU integration is a process not related to their everyday needs and life. This lacking action negatively impacts the EU itself believing that the Albanian party are still not clear about the EU integration agenda.

---

<sup>31</sup> See Croatia's European Integration National Programme.



**AGENDA Institute** is a non-profit, independent organization operating in the area of Good Governance, EU Integration and EU Policies of Good Neighbourliness, and the Social and Economic Policies and Development.

AGENDA Institute  
Rr. Mustafa Matohiti, No 4/Floor 3  
Tirana – Albania  
T/F: +355 4 258 884  
E-mail: [info@agendainstitute.org](mailto:info@agendainstitute.org)  
Web: [www.agendainstitute.org](http://www.agendainstitute.org)